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THE HISTORICAL DEVELOPMENT OF THE JURY SYSTEM. By MAXIMUS A. LESSER, A. M., of the New York Bar. Rochester, N. Y.: The Lawyers' Co-operative Publishing Co. 1894.

The author in his preface has rightly described this work when he says that his claim for consideration is based rather on "originality of treatment and presentation of materials at hand than on originality of research." The book is a careful compilation of the opinions of other writers on the different subjects treated, with copious and well selected extracts from their works. The work may be divided into two parts; first, a description of the institutions providing for the trial of the facts of a cause in other systems of jurisprudence; and secondly, a history of the jury system as developed in England from a combination of Norman ideas of administration and the character of a judge, with the old Anglo-Saxon procedure. Thus Chapter II is a description of the Dekarts of Greece, consisting in the main of extracts from GROTE'S HISTORY, and Chapter III treats of the Judices of Rome. When we come to the second part, or history of the jury proper, the extracts from Forsyth naturally increase, in fact Mr. LESSER, follows in the main the arrangement and endorses practically all the opinions of that learned author.

There are one or two statements by the author, or rather statements cited by him with approval, that would bear some modification. For instance, is it correct to say that Roman judicial procedure was to a great extent derived from and formed by that of Athens, see p. 29; or that King Alfred restored the hundred in England, p. 40. It is true in the last case that the first mention we find of the hundred in England is in the laws of Alfred, but the very irregularity of the boundaries of the hundred, and its subsequent importance seem to indicate not only its prior existence, but that the king simply adapted to his own purposes a living institution.

W. D. L.

THE LAW OF PLEADING UNDER THE CODES OF CIVIL PRO-

CEDURE. By EDWIN E. BRYANT. Boston: Little, Brown & Co. 1894.

This work is a welcome addition to the "Students' Series." The author is well known as the Dean of the Law Faculty of the University of Wisconsin, and his experience as a teacher of law has stood him in good stead in guaging the wants of students in respect of a concise treatise on Code Pleading. Before beginning his discussion of the code system, Professor BRYANT gives a condensed account of courts of law and the common law system of pleading, and a summary view of courts of equity and of pleadings therein, as well as of the civil law system of pleading. If the modern law student cannot make a careful investigation of pleading at common law, preparatory to his study of code pleading, he will find it well worth his while to read the concise statement which occupies some thirty-five pages of Professor BRYANT'S work. The statement of the rules of pleading is, indeed, as the preface points out, "merely a condensed summary of those rules as given in STEPHENS'S admirable treatise," while the sketch of the equity system "follows the arrangement of Lord REDESDALE and STORY." But the reader will be quite ready to concede the author's claim of novelty in "the combination of a condensed summary of the common law rules of pleading, an outline of the equity system of pleading, a general statement of the code system as now exhibited by statute and interpretation, and an analytical index of the code provisions relating to pleading in the twenty-seven code states and territories.

As the author has elected to stand or fall with STEPHENS'S method of treating pleading at common law, he must face the criticism to which the work of that distinguished writer is believed to be open—the criticism, to wit, that it fails to attach sufficient importance to the scope of the issues raised by the several traverses, and thus fails to impress upon the mind of the student the vital connection between the system of pleading, and the law of evidence. Perhaps, this failure is particularly to be regretted in an introduction to the study of code pleading, for the student will be too apt to overlook

what is believed to be one of the most serious objections to the code system—namely, the waste of time in the trial of causes which results from the obliteration of the "issue," and the consequent admission of vast quantities of irrelevant testimony. This is, perhaps, the only adverse criticism of the book that can with fairness be made. All else is unqualified praise—both as to arrangement, analysis and exposition.

G. W. P.

OUTLINE STUDY OF LAW. By ISAAC FRANKLIN RUSSELL, D.C.L., LL.D. New York: Baker, Voorhis & Co. 1894.

A layman or a prospective student of the law who wishes to understand the very general doctrines of jurisprudence and to obtain a clear impression of the fundamental principles which regulate the relationship of citizens to each other and to the state would be well to read Professor RUSSELL'S work as a starter at least. As the preface states, the book is a collection of forty-eight lectures, "mere summaries of what was much amplified when presented orally," combining the consideration of international law, constitutional law, and civil polity, with the various subdivisions of municipal law. There is, of course, much that applies only to the state of New York (the work is primarily designed as a preparation for study there) but the first fifteen lectures are devoted to a broader field.

The author's style is truly original. It is forceful, clear and emphatic. But we wish he had not been compelled or persuaded to reduce to such very thin consistency some of the fifteen chapters above referred to. The process of condensation and reduction has, we fear, impaired the constitutional strength of the subject. This is especially true of "Equality Before the Law" and "Studies in Constitutional and Political History." The titles of these chapters suggest a boundless field of fascinating research. A glance at their contents reveals the very limited extent to which the author takes us.

The work, however, is intended as an outline as we said before, so that the above criticism amounts to a mere regret. The very brevity of the book, combined with its